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FROM: **Jacquelyn Campbell, Paralegal**RE: **301 Submission**

OUR REF: 100745.0024	NUMBER OF PAGES, INCLUDING COVER: 16
COMPETITORS' PATENTS, ISSUES REGARDING	
BIRD-B-GONE	

MESSAGE:**Please see the attached. Thank you.**

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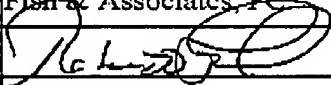
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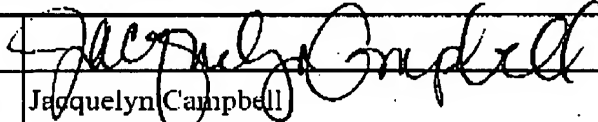
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/729,330	RECEIVED CENTRAL FAX CENTER AUG 21 2007
	Filing Date	December 4, 2003	
	First Named Inventor	Cameron A. Riddell	
	Art Unit	3643	
	Examiner Name	Baisa, Joselito Sasis	
Total Number of Pages in This Submission	Attorney Docket Number		

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Submission of Prior Art Under 35 USC 301 and Copy of Cited Reference
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Fish & Associates, PC		
Signature			
Printed name	Robert D. Fish		
Date	8/21/07	Reg. No.	33880

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Signature			
Typed or printed name	Jacquelyn Campbell	Date	8/21/2007

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

WASHINGTON, D.C. 20231

Inventor: Cameron A. Riddell

Serial No: 10/729330

Filed: Dec. 4, 2003

For: Electric Deterrent Device

Examiner: Baisa, Joselito Sasis

Art Unit: 3643

7TH SUBMISSION OF PRIOR ART UNDER 35 U.S.C. 301

The undersigned wishes to point the Office's attention to the fact that the bird strip in WO1984004022 has a flexible base.

- Figure 2 clearly shows that the metal ribbon conductors are affixed to the deck of a boat, which almost invariably have a slight convex curvature to avoid pooling of water. The conductors must be flexible to conform to a curved deck.
- Page 2, lines 14-16 states "Preferably, the conduction means are flat metal ribbons which are laid in parallel pairs closely-spaced along the surface of the boat..." (emphasis added). The term "ribbon" strongly implies (or even necessitates) that the device is flexible. See also Page 3, lines 22-30.
- Page 5, lines 12-17 states "Furthermore, ... each conductor 19 and 20 may be a flexible metal braid, of the type known as "Monel" mesh sewn to the insulating layer, or may be a metallised [sp] plastics tape." (emphasis added). The only reason to report that the mesh is flexible is if that flexibility is useful in some way, and that would only occur if the base is also flexible. See also claim 4.
- Page 5, lines 12-17 states "Furthermore, ... each conductor 19 and 20 may be a ... a metallised [sp] plastics tape." (emphasis added). The term "tape" strongly implies (or even necessitates) that the device is flexible. See also claim 5.

A copy of the WO1984004022 reference is attached.

By: 

Robert D. Fish

Reg. no. 33,880